

MESSAGE NO: 3098301 MESSAGE DATE: 04/08/2013

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: 78 FR 17637 FR CITE DATE: 03/22/2013

REFERENCE 0153302  
MESSAGE #  
(s):

CASE #(s): A-201-805

EFFECTIVE DATE: 03/22/2013 COURT CASE #: 10-00163

PERIOD OF REVIEW: 11/01/2007 TO 10/31/2008

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQ INSTRUCTIONS FOR CERTAIN CIRCULAR WELDED NON-ALLOY STEEL PIPE FROM MEXICO PRODUCED AND/OR EXPORTED BY MUELLER COMERCIAL DE MEXICO, S. DE R.L. DE C.V., FOR PERIOD 11/01/2007-10/31/2008 (A-201-805)

1. ON 02/27/2013, THE U.S. COURT OF INTERNATIONAL TRADE ISSUED A FINAL DECISION IN THE CASE OF MUELLER COMERCIAL DE MEXICO, S. DE R.L. DE C.V., AND SOUTHLAND PIPE NIPPLES CO., INC. V. UNITED STATES, (COURT NO. 10-00163). AS A RESULT OF THIS DECISION, THE INJUNCTION TO WHICH MESSAGE 0153302 REFERS ENJOINING LIQUIDATION OF ENTRIES WHICH ARE SUBJECT TO THE ANTIDUMPING DUTY ORDER ON CERTAIN CIRCULAR WELDED NON-ALLOY STEEL PIPE FROM MEXICO FOR THE PERIOD 11/01/2007 THROUGH 10/31/2008 PRODUCED AND/OR EXPORTED BY MUELLER COMERCIAL DE MEXICO, S. DE R.L. DE C.V., DISSOLVED ON 02/27/2013.

2. FOR ALL SHIPMENTS OF CERTAIN CIRCULAR WELDED NON-ALLOY STEEL PIPE FROM MEXICO PRODUCED AND/OR EXPORTED BY MUELLER COMERCIAL DE MEXICO, S. DE R.L. DE C.V., AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 11/01/2007 THROUGH 10/31/2008, ASSESS AN ANTIDUMPING LIABILITY OF 40.475 PERCENT OF THE ENTERED VALUE. MUELLER COMERCIAL DE MEXICO, S. DE R.L. DE C.V., DID NOT HAVE ITS OWN CASE NUMBER DURING THE PERIOD OF REVIEW; ENTRIES MAY HAVE BEEN MADE UNDER A-201-805-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS.

3. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE COVERED BY PARAGRAPH 2 OCCURRED WITH THE PUBLICATION OF THE AMENDED FINAL RESULTS OF ADMINISTRATIVE REVIEW (78 FR 17637, 03/22/2013). UNLESS INSTRUCTED OTHERWISE, FOR ALL OTHER SHIPMENTS OF CERTAIN CIRCULAR WELDED NON-ALLOY STEEL PIPE FROM MEXICO YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

4. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930, AS AMENDED. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHALL REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT, AS DESCRIBED IN SECTION 351.402(F)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHALL DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, REIMBURSEMENT SHALL BE PRESUMED AND CBP SHALL DOUBLE THE ANTIDUMPING DUTIES DUE. IF AN IMPORTER TIMELY FILES A PROTEST CHALLENGING THE PRESUMPTION OF REIMBURSEMENT AND DOUBLING OF DUTIES, CONSISTENT WITH CBP'S PROTEST PROCESS, CBP MAY ACCEPT THE REIMBURSEMENT STATEMENT FILED WITH THE PROTEST TO REBUT THE PRESUMPTION OF REIMBURSEMENT.

7. IF THERE ARE ANY QUESTIONS BY THE IMPORTING PUBLIC REGARDING THIS MESSAGE, PLEASE CONTACT THE CALL CENTER FOR THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE AT (202) 482-0984. CBP PORTS SHOULD SUBMIT THEIR INQUIRIES THROUGH AUTHORIZED CBP CHANNELS ONLY. (THIS MESSAGE WAS GENERATED BY 07:MF.)

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

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## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party